

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

BRAZ COLEMAN

PLAINTIFF

VERSUS

CIVIL ACTION NO. 3:22-cv-00621-TSL-RPM

LAUDERDALE COUNTY, et al.

DEFENDANT

ORDER REQUIRING PLAINTIFF TO RESPOND

Before the Court are *pro se* Plaintiff Braz Coleman's Complaint [1] and Amended Complaint [9]. Plaintiff is an inmate currently incarcerated at the Lauderdale County Detention Facility in Meridian, Mississippi, and he is proceeding *in forma pauperis* [10]. Plaintiff complains about the conditions of his confinement under 42 U.S.C. § 1983, and he names Lauderdale County, Billie Sollie, Tisha Barlow, and Sergeant Smith as Defendants. After reviewing and liberally construing Plaintiff's Complaint [1] and Amended Complaint [9], the Court finds that more information is needed to adjudicate his claims.

To maintain an action under 42 U.S.C. § 1983, Plaintiff must allege that a person acting under color of state law deprived him of a right secured by the Constitution or other law of the United States. There must be facts asserted against each named Defendant that he or she knew about the complained-of condition, that he or she affirmatively participated in the acts that caused the alleged constitutional deprivation, or that he or she implemented unconstitutional policies that caused Plaintiff's alleged injury. *See Carnaby v. City of Houston*, 636 F.3d 183, 189 (5th Cir. 2011) ("[U]nder § 1983, . . . a government official can be held liable only for his own misconduct."). Plaintiff may pursue a § 1983 civil action against Lauderdale County only if the injury Plaintiff received allegedly resulted from the County's unconstitutional policies, practices, or customs. *See Monell v. Dep't of Social Servs.*, 436 U.S. 658, 694 (1978).

IT IS THUS ORDERED that **on or before January 25, 2023**, Plaintiff shall file a written response to answer the following questions:

1. Specifically allege which policies, practices, or customs, including dates, establish that Lauderdale County violated your constitutional rights.
2. How did Billie Sollie violate your constitutional rights?
3. How did Tisha Barlow violate your constitutional rights?
4. How did Sergeant Smith violate your constitutional rights? If possible, provide Sergeant Smith's first name and/or other identifying information.
5. Who is responsible for searching and seizing your vehicle in Sammy Davidson Park? Do you wish to name that person or persons as Defendant(s)?
6. Were you physically injured because of the conditions of confinement described in your Amended Complaint [9]? If so, describe how you were physically injured.

Plaintiff's written response shall be filed with the Clerk of Court, 501 East Court Street, Suite 2.500, Jackson, MS 39201. Failure to advise the Court of a change of address or failure to timely comply with any order of the Court will be deemed a purposeful delay and contumacious act by Plaintiff and may result in this lawsuit being dismissed without prejudice and without further notice.

THIS 11th day of January, 2023.

/s/ Robert P. Myers, Jr.
ROBERT P. MYERS, JR.
UNITED STATES MAGISTRATE JUDGE